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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,558	12/31/1998	GREGORY LINDHORST	3797.77996	1430

28319 7590 09/30/2002

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EXAMINER

HO, THE T

ART UNIT PAPER NUMBER

2151

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/223,558

Applicant(s)

LINDHORST ET AL.

Examiner

The T. Ho

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/26/2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-9 have been examined and are pending in the application.
2. This action is in response to the amendment filed 6/26/2002.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-2, and 5-7 are rejected under 35 U.S.C. 102(e) as being unpatentable over Dale U.S Patent No. 6,272,673.

As to claim 1, Dale discloses a system for transporting objects (Fig.3) between a first (server 24a, Fig. 3) and second machine (client 20a, Fig. 3) where the first machine is programmed in a first language and the second machine is programmed in a second language (may alternatively be implemented in another object-oriented language, line 24-25 column 6), the system comprises: a memory (11, and 12, Fig. 2) for storing code;

a first processor (10, Fig. 2) on the first machine (server 24a, Fig. 3) for executing code and instantiating an object on the first machine (causes component 64 to be instantiated and executed on the application server 24a, line 21-22 column 12); an output for outputting (in response to the request, line 17 column 12) the object with persistence information to the second machine (application server 24a provides the HTML page 62 to the client 20a, line 17-18 column 12); wherein, after the object is output from the first machine, the first processor deletes (explicitly destroyed, line 55 column 13) the instantiation of the object (the component becomes no longer instantiated, line 54-55 column 13) from the first machine.

As to claim 2, Dale further discloses a second processor (10, Fig. 2) on the second machine (client 20a, Fig. 3) for receiving the object with persistence information (receives a requested HTML page, line 18 column 10) and allowing interaction with the object (the clients 20a detects an applet tag for a component, the browser instantiates the component in step 603, line 18-20 column 10), the interaction creating events (note two-ways communication arrows between objects of Fig. 7, and line 30-49 column 10).

As to claim 5, Dale discloses a structure for allowing the interchange of objects (Fig. 3) between a server (server 24a, Fig. 3) and a client (client 20a, Fig. 3) comprises a first object representation (a component, line 19 column 10); persistence information (an applet tag. Line 19 column 10) associated with the first object representation; and event information (604, and 605, Fig. 6) relating to interaction with the object.

As to the method of claim 6, note the discussion of the system of claim 1.

As to claim 7, note the discussion of claim 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale in view of Chang U.S Patent No 5,960,436.

As to claim 3, the system of Dale as discussed in claims 1 and 2 above does not disclose passing modified objects back to the server.

Chang teaches an output of a machine (client, line 7 column 2) for outputting the events and the objects with the persistence information (a record of the transaction and of the modified object, line 8-9 column 2) to the other machine (the server, line 13 column 2), wherein the other machine reinstantiates the objects (written back, line 12 column 2) based on the persistence information and handles the events (sent to the server, and replayed on the server, line 11-12 column 2) as effecting the reinstantiated objects (modified objects, line 12 column 2). It would have been obvious to apply the teachings of Chang to the system of Dale because after the object was being modified by the client computer, it can be sent back to the server for future use by the original client computer or any other client computers that are connected to the server.

As to claim 8, note the discussion of claim 3.

5. Claims 4, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale in view of Barlow U.S Patent No. 6, 275,935 and Chang.

As to claim 4, Dale discloses a first machine (client 20a, Fig. 3), second machine (server 24a, Fig. 3); an input (20b and 22, Fig. 3) in the first machine (client 20a, Fig. 3) for receiving persistence information and an event (requested HTML page, line 18 column 10) from the second machine (server 24a, Fig. 3); a processor (10, Fig. 2) in the first machine (client 20a, Fig. 3) for instantiating an object (instantiates the component, line 20 column 10) based in part on the persistence information (an applet tag for a component). However, Dale does not teach an event handler and outputting the modified object.

Barlow discloses an event handler (an event handler, line 39-40 column 17) in handling event (the event, line 40 column 17) in combination with modifying (executed, line 40 column 17) the object (object 18, line 39 column 17). It would have been obvious to apply the teachings of Barlow to the system of Dale because when the events are sent to the scripting engine from the server, it can be executed by the event handler.

Chang discloses outputting the modified object (modified objects, line 11 column 2) to a machine (the server's database, line 12 column 2). It would have been obvious to apply the teachings of Chang to the system of Dale for the same reasons as discussed in claim 3 above.

As to the method of claim 9, note the discussion of the system of claim 4.

Response to Arguments

6. Applicant's arguments filed 6/26/2002 have been fully considered but they are not persuasive.

Applicant argued that Dale reference does not disclose different languages (remarks, lines 9-21 page 4). In response, Dale reference clearly points out the issue as explained in the office action and again in "components 26 can be rendered on different platforms using different languages (lines 46-48 column 6).

Applicant argues that there is no output for outputting the object (remarks, lines 3-16 page 5). In response, Fig. 3 of Dale reference shows arrows going back and forth between the client and the server, which clearly provides the limitation "an output for outputting the object".

Applicant argues that there is no processor on the first machine (remarks, lines 7-8 page 6). In response, Dale clearly shows in Fig. 2 the architecture of a computer system with a processor 10. Dale further states that any computer systems mentioned in the invention may have the architecture of Fig. 2 (lines 24-42 column 4).

Applicant argues that there is no teaching of persistence information (remarks, lines 6-7 page 6). In response, Dale reference clearly points out the issue as explained in the office action and again in "include information such as designation..." (lines 28-49 column 9).

Applicant argues that there is no teaching of deleting the instantiation of the object. In response, the applicant is advised to refer back to the office action where the limitation is clearly met by Dale reference.

Applicant argues that there is no teaching of object with persistence information (remarks, lines 10-18 page 7). In response, the applicant is advised to note the discussion of persistence information above.

Applicant argues that there is no mention of events (remarks, lines 10-18 page 7). In response, the aspects are clearly pointed out in the claim rejection.

Applicant argues that Dale does not teach allowing interaction with the object (remarks, line 1 page 8). In response, again the aspects are clearly pointed out in the claim rejection.

Applicant argues that there is no teaching of creating events (remarks, lines 9-10 page 8). In response, Dale clearly points out the component 26 contains properties such as event that can be scripted through point-and-click dialogs (lines 46-61 column 6).

Applicant argues that an applet tag is not equivalent to persistence information (line 1 page 9). In response, the applet tag here is not used to make equivalent to persistence information. The information "include information such as designation..." (lines 28-49 column 9) within the applet tag was used to meet the limitation.

Applicant argues that there is no teaching of event information (line 12-13 page 9). In response, again Dale clearly points out the component 26 contains properties such as event that can be scripted through point-and-click dialogs (lines 46-61 column 6).

Applicant argues that Chang does not teach outputting events with persistence information (remarks, line 12 page 10 to line 14 page 11). In response, Chang was not

used to teach outputting events with persistence information. Chang was used to teach passing the modified objects back to the server as clearly pointed out the claim rejection.

Applicant argues that Dale does not teach an input in the first machine for receiving persistence information and an event (remarks, lines 3-15 page 12). In response, Fig. 3 of Dale reference shows arrows going back and forth between the client and the server, which clearly provides the limitation "an input for receiving". Dale further teaches "include information such as designation..." (lines 28-49 column 9), which meets the persistence information limitation. Dale also teaches the component 26 contains the properties such as event that can be scripted through point-and-click dialogs (lines 46-61 column 6) which clearly meets the event from the server.

Applicant argues that Dale does not teach a processor in the first machine and the persistence information (remarks, line 16 page 12 to line 5 page 13). In response, the applicant is advised to note the discussion of applying the computer architecture with a processor of Fig. 2 and also the discussion of the persistence information above.

Applicant argues that Barlow does not teach modifying the object (remarks, lines 6-21 page 13). In response, Barlow was not used to teach modifying the object. Barlow was used to teach an event handler that handles the event as set forth in the claim rejection. Chang is the reference that actually teaches modified the object and send it to the second machine.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The T. Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Thursday, 8:30 am – 6:00 pm, and every other Friday from 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C 20231


Or fax to:

Art Unit: 2151

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238
- OFFICAL faxes must be signed and sent to (703) 746 – 7239
- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

t.h

September 23, 2002



ST. JOHN COURTENAY III
PRIMARY EXAMINER